UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

COOLING FOR LESS, INC.

and

Case 28-CA-105006

JOSEPH MILLER

ORDER

On March 26, 2014, Administrative Law Judge John J. McCarrick of the National Labor Relations Board issued his Decision in the above-entitled proceeding and, on the same date, the proceeding was transferred to and continued before the Board in Washington, D.C. The Administrative Law Judge found that the Respondent has engaged in certain unfair labor practices, and recommended that it take specific action to remedy such unfair labor practices.

No statement of exceptions having been filed with the Board, and the time allowed for such filing having expired,

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, and Section 102.48 of the National Labor Relations Board Rules and Regulations, the Board adopts the findings and conclusions of the Administrative Law Judge as contained in his Decision, and orders that the Respondent, Cooling for Less, Inc., its officers, agents, successors, and assigns, shall take the action set forth in the recommended Order of the Administrative Law Judge.¹

Dated, Washington, D.C., May 8, 2014.

By direction of the Board:

/s/Farah Z. Qureshi

Associate Executive Secretary

¹ We shall substitute a new notice to conform with <u>Durham School Services</u>, 360 NLRB No. 85 (2014).

NOTICE TO EMPLOYEES

Posted by Order of the National Labor Relations Board An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union Choose representatives to bargain with us on your behalf Act together with other employees for your benefit and protection Choose not to engage in any of these protected activities.

After a trial at which we appeared, argued and presented evidence, the National Labor Relations Board has found that we violated the National Labor Relations Act and has directed us to post this notice to employees and to abide by its terms.

Accordingly, we give our employees the following assurances:

WE WILL NOT threaten you with unspecified reprisals for engaging in protected, --concerted activity.

WE WILL NOT fire you in order to discourage your protected-concerted activities that are protected under Section 7 of the National Labor Relations Act or for giving testimony at an NLRB hearing.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by the National Labor Relations Act.

WE WILL reinstate Joseph Miller to his former position of employment.

WE WILL make Joseph Miller whole for any loss of earnings and benefits, including interest, he sustained as a result of our discharge.

WE WILL within 14 days from the date of the Board's Order, remove from our files any and all records of the discrimination against Joseph Miller and WE WILL within 3 days thereafter, notify him in writing that we have taken this action, and that the material removed will not be used as a basis for any future personnel action against him or referred to in response to any inquiry from any employer, employment agency, unemployment insurance office, or reference seeker, or otherwise used against him.

| | | (Employer) | | |
|-------|----|------------------|---------|--|
| Dated | Ву | | | |
| | | (Representative) | (Title) | |

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below. You may also obtain information from the Board's website: www.nlrb.gov.

2600 North Central Avenue, Suite 1800, Phoenix, AZ 85004-3099

(602) 640-2160, Hours: 8:15 a.m. to 4:45 p.m.

The Administrative Law Judge's decision can be found at www.nlrb.gov/case/28-CA-105006 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.



THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF POSTING AND MUST NOT BE ALTERED, DEFACED, OR COVERED BY ANY OTHER MATERIAL. ANY QUESTIONS CONCERNING THIS NOTICE OR COMPLIANCE WITH ITS PROVISIONS MAY BE DIRECTED TO THE ABOVE REGIONAL OFFICE'S COMPLIANCE OFFICER, (602) 640-2146.